

# Using Zoning To Regulate Land Development

Chernihiv, Ukraine

## Background

Local level land management in Ukraine, based on the Soviet model, still depends largely on central planning. Consequently there is no efficient, market-oriented system for local management of land development. Over time, municipal leaders in the City of Chernihiv (population 310,000) came to see this system as inefficient, ineffective, and threatening to the historical character of their city. In April 1992 it was determined that Chernihiv would no longer follow the prescribed national norms for housing design. The combination of a new concept plan, which placed increased decision-making power in the hands of citizens, and a changing legal framework, which began to recognize ownership and other forms of legal occupancy and control of land, posed a challenge to municipal authorities. Under the new system, urban planners feared the loss of their ability to control development in accordance with the city's concept plan.

## Innovation

Ukrainian planners and economists recognized that zoning would provide both control and flexibility for owners and users of land. Zoning divides the city into areas according to the desired use of land (residential, business, industrial, or public), allowing the local government to broadly outline the long-term land use policy and economic development plan for the city. Zoning regulations that detail the restrictions within each zone are then drafted. The general public is invited to comment and provide input on the land use plans, and may appeal individual zoning decisions.

Several new ordinances and regulations were passed in Chernihiv to provide the legal framework for zoning. For several months beginning in the fall of 1994, the city's Architecture Department worked on draft zoning regulations. These efforts yielded a zoning scheme that allows for a large variety of uses for each of the city's land parcels. In May 1995 the efforts culminated in the adoption of zoning as the standard method of reforming Chernihiv's planning and urban development regulatory procedures, making Chernihiv the first Ukrainian city to adopt a zoning approach to urban planning. A "How To" zoning manual based on the Chernihiv experience was produced for distribution to interested municipalities, and a conference of 150 zoning officials and chief architects from all over Ukraine was held in July 1995 in Chernihiv. Ukrainian consultants trained in zoning through the Chernihiv innovation are qualified to provide training to other municipalities.

## Results

Chernihiv's zoning innovation has produced increased flexibility for real estate developers and has allowed the local government to protect historical areas from the damaging effects of industrial development and vehicular air pollution while capitalizing on the economic benefits of maintaining historical sites. Innovative methods of regulating development for local governments have been introduced to the city, including differential tax rates. The results of this innovation also provide encouragement for local governments to develop other reforms, including a real property taxation system based on market value and privatization of public-owned property. In the wake of Chernihiv's initiative, several Ukrainian cities have expressed interest in zoning as a means of urban planning and regulatory reform. A similar regulatory reform effort is underway in Poltava and several other cities.

## Summary

To ensure that urban land development would conform to its concept plan, the City of Chernihiv adopted a zoning approach to urban planning. The zoning innovation has produced increased flexibility for real estate developers, allowed the local government to protect historical areas, and permitted the public to have a voice in all zoning issues.

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